ROBERT E. BUSHNELL\*+

SARYADVINDER S. SAHOTA‡\*
JOSEPH G. SEEBER\*
MATTHEW J. LESTINA‡\*
JONG H. PARK‡

OF COUNSEL
RICHARD H. STERN°
HENRY M. ZYKORIE

MICHAEL D. PARKER YOUNG JIN KIM, PhD. (REG. PATENT AGENT)

†ADMITTED IN MARYLAND
\*ADMITTED IN VIRGINIA
‡ ADMITTED IN NEW YORK
\*ADMITTED IN CONNECTICUT
\*NOT ADMITTED IN D.C.

## R. E. BUSHNELL ATTORNEY AT LAW

1522 K STREET, N.W., SUITE 300 WASHINGTON, D.C. 20005-1245 UNITED STATES OF AMERICA

March 8, 2006

INTELLECTUAL PROPERTY LAW

TELEPHONE: (202) 408-9040 FACSIMILE: (202) 289-7100 FACSIMILE: (202) 628-3835

E-MAIL: REBUSHNELL@AOL.COM

- ☐ U.S. Postal Service
- ☐ Via Local Courier
- □ Via International Courier
- Via Facsimile No. :
- ☐ Via E-Mail Attachment
- ☐ Via ePMS
- ☐ Please Acknowledge Receipt

RECEIVED
CENTRAL FAX CENTER

MAR 0 8 2006

Director, U.S. Patent & Trademark Office Commissioner for Patents Attn: Mr. Brian Glessner, SPE Group Art Unit 3676 P.O. Box 1450 Alexandria, VA 22313-1450

Re: U.S. Patent Application for:

ELECTROMECHANICAL CYLINDER PLUG

Richard G. Hyatt, Jr.
Serial No.: 08/720,070
Our Ref.: P53821C

Dear Mr. Glessner:

Enclosed is a <u>Fifth Appeal Brief</u> in response to the *Notification of Non-Compliant Appeal Brief*, Paper No. 08042005 issued on 5 August 2005 and further response to the *Notification of Non-Compliant Appeal Brief*, Paper No. 03162005 issued on 17 March 2005 for the above-referenced application we have discussed over the telephone today.

We await your instructions.

With best regards.

Respectfully submitted.

Robert E. Bushnell

REB/ks

## <u>CERTIFICATE OF FACSIMILE</u> TRANSMISSION

I hereby certify that, on March 8, 2006, this correspondence is being facsimile transmitted to the U.S. Patent & Trademark Office. (Facsimile No. 571-273-8300)

Total 160 sheets

THE CALL OF STREET, SECTION OF THE SECTION OF

Robert E. Bushnell Reg. No. 27,774

					Under the Paperwork	Reduction Ac	at of 1995. r	no perso	ios are rec	wired to a	resnond	Patent and T	Approved for rademark O	or use throu ffice: U.S. D	PTO gh 9/30/2000. O EPARTMENT O	WSB/17 (0 MB 0651- F COMME
Sites the Fapelmon resudual AC O 1995, I								Approved for use through 8/30/2000. 'ÖMĞ Dés Patent and Trademark Office U.S. DEPATMENT OF COM no persons are required to respond to a collection of information unless it displays a valid GMB control r Complete If Known								
FEE TRANSMITTAL						Appl	Application Number				08/720,070				<u> </u>	
	Patent fees are subject to annual revision.						Filin	Filing Date				27 September 1996				
							First	First Named Inventor				Richard G. Hyatt Jr.				
						Exar	Examiner Name				Suzanne D. Barrett					
							Grou	Group/Art Unit				3676				
TOTAL AMOUNT OF PAYMENT (\$) 570.00 At							Attor	Attorney Docket No.				P53821C				
		MET	THOD	OF PA	YMENT (check	one)		1				FEE CAL	CULATIO	N		
1. Payment Enclosed: (CHECK #50378)							Fee Code	Fee (\$)	Fee Code		-, -, -	Fee Des	cription		Fee Paid	
·												MISCELL	ANEOUS			
■ Check □ Credit Card □ Money Order □ Otl						other	1801	\$790	2801	\$395	Request for co	ntinued ex	amination	(RCE)	\$	
0	Charge Any Additional Fee Required Under 37 C.F.R. §1.18 and 1					nd 1.17.	1806	\$180			Submission of	an iDS			\$	
								1814 \$130 2814 \$65 Statutory disclaimer					\$			
					tity status. See 3			8021	\$40			Recordation of	assignme	nt per prop	erty	\$
2.	■ The	Соп	ım <b>i</b> ssio	oner is l	nereby authorize	ed to cha	nge					TRADE	MARK			
any	deticle	ency a	and cr	edit any	over payments	to:		6001/	7001		\$335	Application for	registration	n, per class	5	\$
	Depo	sit Ac	count	Numbe	r: 02-494	13		8002/	7002	~	\$100	\$100 Amendment to Allege Use, per class			s	\$
			İ	EE CAL	CULATION			6003/	7003		\$100	Statement of U	lse, per cla	68		\$
Fee	Fee	Fee	Fee				Fee	6004/	7004	j j:	\$150	Request for six	-month ext	tension of t	time, per class	\$
Code	(\$)	Code	(4)		Fee Description		Paid v	6205/	7205	محرير	\$100	§8 atfldavit, pe	r class			\$
Note	that\$5	10 for			OF TIME FEES' usly paid on 12/05/	05.		6208/	7208		\$200	§15 affidavit, p	er class			\$
1251	120	2251	60	Extension	n for reply within first	month	\$	6201/	7201		\$400	Application for	renewal, p	er class		<b>\$</b> ~
1252	450	2252			n for reply within sec			6403/	7403		\$100	Ex perte appea	. •	3		\$
1253	1020 1590	2253 2254			n for reply within thin		\$					PETT				_
1254 1255	2160	2255	795 1080		n for reply within fou n for reply within fifth	-	\$ \$1080	1462			\$400 \$200	Petitions to Dir	•			\$ e
1200	2100		1000		PEAL	IFRATUI	\$1000	1464			\$130	Petitions to Oir	•			э s
1401	500	2401	250	Notice of			\$	1452	\$500	2452	\$250	Petitions to application	•		ly abandoned	\$
1402	500	2402	250	Filing a b	erlef in support of an	appeal	\$	1453	\$1500	2463	\$750	Petitions to re application	vive unin	tentionall	y abandoned	\$
1403	1000	2403	500	Request	for oral hearing		\$	l			P	ATENT MAINTEN	ANCE			
				CL	AIMS			1551	\$900	2551	\$450	Due at 3.5 year	15			\$
1201			100	•	lent claims in excess	of 3	\$ .	l .	\$2300			•				\$
1202	50	2202	25	claims in	excess of 20 (4)		\$	1553	\$3800	2553	\$1900	Due at 11.5 yea	ars			\$
Other Fee (specify)\$						\$	Other	Fee (spe	cify)						\$	
Other Fee (specify)							Other Fee (specify)\$									
Other	Fee (sp	ecity)_				<del></del> -	8	Other	Fee (spe	city)					T	\$
		SI	JBTO	TAL: LE	EFT COLUMN	\$ <b>570.00</b> (\$1080-\$51					SU	JBTOTAL: RI	GHT CO	LUMN	\$.00	
					SUBMITTED		<del>.</del>					Com	plete (ii	applica	able)	
Typed or Printed Name  Repert E. Bushne						nell. F	Sq. Reg. Number 27,774									
Signature Signature					Date		Februa	ruary 2006 Deposit Account User ID								

REB/kf

. ....

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

PACE 6/160 • RCVD AT 3/8/2006 2:58:53 PM [Eastern Standard Time] • SVR:USPTO-EFXRF-6/18 • DNIS:2738300 • CSID:202 289 7100 • DURATION (mm-ss)-52-48

50378		2/6/2006	**570.00	***** DOLLARS confidence	<b>~ C∃</b>	NATURE	
	CITI BANK, F.S.B WASHINGTON, D.C. 20036-0967	15-7011/2540	<b>99</b>	· · · · · · · · · · · · · · · · · · ·		AUTHORIZED SIGNATURE	13 8496"
	CII	<b>11</b>	demarks	*****	marks.	<b>Vyatt</b>	4070 145 th 1513
	ROBERT E. BUSHNELL	1522 K. STREET, N.W., SUITE 300 WASHINGTON, DC 20005-1202 (202) 408-9040	Commissioner Of Patents & Trademarks	Five Hundred Seventy Only*********	Commissioner Of Patents & Trademark P.O. Box; 1450	08/720070(5xot-3xot) small entity - Hyati	11050378" 1255071
;	***		PAY TO THE ORDER OF	Five	.*A.	мемо	•

P53821C (CPA / Small Entity)

Applicant: RICHARD G. HYATT JR.

S.N.: 08/720,070

Filed: 27 September 1996

For: ELECTROMECHANICAL CYLINDER PLUG.

Document(s) filed:

Petition for a five-month extension of time (Paper No. 89) Fifth Appeal Brief (Paper No. 88) (three copies) Amendment under 37 C.F.R. §41.33(b)(1) (Paper No. 87)

OIPE Check #50378 for \$570.00 & Fee Transmittal